HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 431 of 2004 (MS)

Dr. Amar Deep ..... Petitioner

Versus

Miss Manmohani Deep & another .....Respondents

Dated: 3.8.2004

Hon. Rajesh Tandon J.

Heard the learned counsel for the parties.

By the present writ petition the petitioner has prayed for quashing the order dated 25.5.2004 passed by the Judge, Family Court, Dehradun.

The petitioner has challenged the validity of impugned order dated 25.5.2004 granting injunction against the construction being carried out by the petitioner. The Judge Family Court has passed the following order on the application filed by the respondent:

"Invite objection fixzing 12.7.2004 for disposal. Meanwhile parties shall maintain status quo."

Before this Court both the parties have submitted that the matter may be sent back to the Judge, Family Court who shall also decide maintainability of the suit itself along with the application for temporary injunction. In the meanwhile order passed by this Court on 10.6.2004 shall remain operative till

20.8.2004. However, this order shall not prejudice the final decision of the case.

Subject to the aforesaid observations, the writ petition is disposed of.

(Rajesh Tandon J.)

3.8.2004
Dhyani